THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 10440 of 2006

Dated: 14-07-2006

Between:

Smt.B.Suseelamma

..... PETITIONER

AND

The Collector and District Magistrate,
Kurnool and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 10440 of 2006

O R D E R:

This writ petition is filed questioning the order passed by the first respondent dated 24-04-2006 thereby cancelling the caste certificate issued in favour of the petitioner in exercise of the powers conferred under Section 5 (1) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community, Certificates Act, 1993 read with Rule 9(7) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) issue of Community, Nativity and Date of Birth Certificates Rules, 1997. Though the petitioner raised various grounds on merit, I am not inclined to express any opinion on merits since an alternative remedy of appeal is available against the impugned order. As a matter of fact, the petitioner has already preferred an appeal on 09-05-2006 before the third respondent. However, the petitioner states that the third respondent though entertained the appeal, failed to consider the application made by the petitioner for stay of operation of the order of cancellation dated 24-04-2006.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of with a direction to the third respondent to dispose of the appeal filed against the order of the first respondent dated 24-04-2006 as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order. Till such time, the impugned order passed by the first respondent dated 24-04-2006 shall not be given effect to. No costs.

G. ROHINI, J

Dated: 14-07-2006

KLP